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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,722	02/12/2004	Mark Allen Grubbs	AUS920031050US1	5922
32329	7590	01/07/2008		
IBM CORPORATION INTELLECTUAL PROPERTY LAW 11400 BURNET ROAD AUSTIN, TX 78758			EXAMINER BLACK, LINH	
			ART UNIT 2163	PAPER NUMBER
			MAIL DATE 01/07/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/777,722	GRUBBS ET AL.	
	Examiner	Art Unit	
	LINH BLACK	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 28 December 2007 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

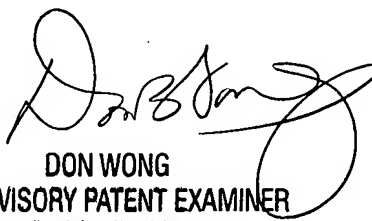
c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The amendment filed 12/14/07 after the Notice of Allowance dated 9/21/07 fails to comply with the requirements of section 714.16 of the MPEP, in that a proper 312 amendment request must include a statement as to why the amendment was not earlier presented as well as the reason as to why the amendment is needed. Note the following section of the MPEP specifically bars request purely intended for continued prosecution.


 DON WONG
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